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April 8, 2024

Granted. Defendants shall file their motion for summary judgment on or before April 19, 2024 and are granted a five-page extension. Plaintiff shall file his opposition on or before May 10, 2024 and is granted a five-page extension.

So ordered.

April 9, 2024

VIA ECF

Honorable J. Paul Oetken
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 20D
New York, New York 10007

J. PAUL OETKEN
United States District Judge

Re: *Crespo v. Gutman, Mintz, Baker & Sonnenfeldt, LLP.*
Case No. 1:22-cv-6599-JPO

Your Honor:

The law firm of Rivkin, Radler LLP represents Defendants Gutman, Mintz, Baker & Sonnenfeldt, LLP, (“Gutman”), Gary Thigpen, (“Mr. Thigpen”), and Eric Keilbach, (Mr. Keilbach”), (collectively “Gutman Defendants”), in the above referenced action. Pursuant to this Court’s Order, *see, Dkt. #67*, the Gutman Defendants’ motion for summary judgment is to be filed on or before April 12, 2024. The Gutman Defendants respectfully submit this letter application for: (1) a one-week extension of the present deadline, until April 19, 2024, for the filing of their motion for summary judgment, and; (2) a five page extension of the page-limit for their memorandum of law. Plaintiff’s counsel has consented to both the one-week extension of the deadline, as well as the five-page extension, on the condition that the remaining briefing deadlines also be extended by one week and Plaintiff is granted a five-page extension as well.

Plaintiff First Amended Complaint consists of 187 allegations, and asserts effectively six claims for relief against the Gutman Defendants: (1) violation of FDCPA § 1692¹; (2) conversion; (3) violation of G.B.L. §349; (4) negligence, and; (5) gross negligence. *See, Am. Comp., at Dkt. #35*. Moreover, in addition to thousands of pages of documents produced during discovery, there are approximately ten deposition transcripts associated with this action, many of which are voluminous. Although we have commenced work toward this filing, given the number and seriousness of the claims asserted, the volume of material being reviewed, as well as my personal and professional commitments this week, I determined this morning that I would need a brief one-week extension of the present

¹ Although not delineated as such, Plaintiff seeks relief under both § 1692e and § 1692f.

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motion schedule, as well as a brief five page extension of the page limit for memorandums of law, to present the most fulsome analysis to this Court in support of my clients' motion.

Additionally, the parties have re-commenced discussions as to whether to seek this Court's permission to refer this action to the SDNY Mediation Panel. The parties have set an April 12, 2024, deadline to come to an agreement in this regard.

This is the Gutman Defendant's first request for such extensions.

Respectfully Submitted,

RIVKIN RADLER, LLP

Kenneth A. Novikoff

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4875-0661-0869, v. 1